THE CABINET OF MINISTERS OF UKRAINE

RESOLUTION

No. 1103

of September 05, 2007

Kyiv

On Approving the Technical Regulation for Nautical Equipment

In accordance with Article 14 of the Law of Ukraine “On Standards, Technical Regulations, and Conformity Assessment Procedures”, the Cabinet of Ministers of Ukraine hereby resolves:

1. To approve the Technical Regulation for Nautical Equipment and the action plan for the implementation of the Technical Regulation for Nautical Equipment during the period leading up to 2011, hereby attached.

2. The State Committee on Technical Regulation and Consumer Policy shall approve the list of nautical equipment to be covered by said Technical Regulation.

3. The Ministry of Transport and Communication shall provide for the implementation of this Technical Regulation and for the supervision over the conformance with the requirements thereof.

Prime Minister of Ukraine  
V. YANUKOVYCH

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APPROVED  
by Resolution of the Cabinet of Ministers of Ukraine  
No. 1103 of September 05, 2007.
TECHNICAL REGULATION
on Nautical Equipment

General Provisions

1. This Technical Regulation lays down safety requirements for nautical equipment and the procedures for the assessment of conformity with these requirements, and establishes the rules for marking such equipment and for entering it into circulation.

2. For the purposes of this Technical Regulation, terms used shall have the following meanings:

Nautical equipment: products intended to be installed on board of a vessel in accordance with international requirements, as set forth in the list of nautical equipment approved by Derzhspozhyvstandart (the State Committee on Technical Regulation and Consumer Policy) (hereinafter “the List”);

Vessel: a vessel covered by valid international conventions, with the exception of military vessels.


3. Effect of this Technical Regulation shall extend to the nautical equipment intended to be installed on board of a vessel sailing under Ukraine’s national flag.

Effect of this Technical Regulation shall not extend to the nautical equipment installed on board of a vessel prior to the entry into force of this Technical Regulation.

4. Nautical equipment included in the list of nautical equipment and manufactured prior to the entry into force of this Technical Regulation, may also be installed on board of a vessel if such nautical equipment conforms with the certificate issued in accordance with the established procedure.

5. Where nautical equipment is covered by effect of other technical regulations, such nautical equipment must conform solely to the requirements of this Technical Regulation.

6. Entry into circulation of nautical equipment shall only be allowed conditional on carrying out the assessment of its conformity with the requirements of this Technical Regulation with regard to the conformity assessment procedures laid down there, and conditional on its being installed and serviced according to the manufacturer’s documents and used for the intended purposes.

Entry into circulation of nautical equipment without a declaration of conformity and without affixing the national conformity mark, shall be forbidden.

7. Testing of nautical equipment shall be carried out in compliance with the relevant standards established in the documents of the International Maritime Organization and in the national harmonized standards, in the updated versions thereof, adopted in conformance with the international requirements stipulating the methods and sought-after results of such testing.
8. Manufacturers of the nautical equipment that is being entered into circulation, and their authorized representatives, central executive authorities that are responsible for the technical regulation of and the supervision over the technical condition of nautical equipment, and the nautical equipment conformity assessment bodies, shall be required to abide by the requirements and rules established by this Technical Regulation.

A manufacturer of nautical equipment or an authorized representative thereof shall be liable under the law for the conformity of such nautical equipment with the requirements established by this Technical Regulation.

**Safety Requirements for Nautical Equipment**

9. Safety requirements and conformity assessment procedures for nautical equipment shall be set forth in the List.

10. Installation on board of a vessel of such nautical equipment as does not conform with the requirements of this Technical Regulation, may be allowed (with the exception of technical innovations) solely on condition that such equipment is being installed for testing. At that, measures must be taken to prevent harmful impact from the radio and communication equipment on the radio-frequency spectrum.

**Conformity Assessment Procedures**

11. The assessment of nautical equipment’s conformity with the requirements of this Technical Regulation shall be carried out by the manufacturer or the authorized representative thereof, with application of the procedures (conformity assessment modules) established in the Resolution of the Cabinet of Ministers of Ukraine No. 1585 of October 07, 2003 “On Approving the Technical Regulation on Conformity Assessment Modules and the Requirements Concerning the Application of the National Conformity Mark, as Applied in Technical Regulations on Conformity Assessment” (“Ofitsiyniy Visnyk Ukrayiny”, 2003, No. 41, p. 2175; No. 1, p. 31).

12. One of the following conformity assessment procedures may be applied to nautical equipment:

Module B (verification of type) in combination with module C (conformity with type) or module D (production quality assurance), or module E (product quality assurance), or module F (inspection of products), at the manufacturer's option, in accordance with the List;

Module H (comprehensive quality assurance).

Where nautical equipment is manufactured as a unique article or in small numbers, not serially, conformity assessment may be carried out according to module G (inspection of individual units of a product).

13. In the course of carrying out nautical equipment conformity assessment, the manufacturer or the authorized representative thereof shall draw up a declaration of conformity according to the form provided in the Annex, and shall affix the national conformity mark on each article as required by this Technical Regulation.

14. Technical documents submitted by the manufacturer or the authorized representative thereof, to the conformity assessment body, the requirements for which have been established in the Cabinet of Ministers of Ukraine’s Resolution No. 59 of January 24, 2007 “On Approving the
Procedure for the Application of the Procedure for the Appointment of Bodies Charged with the Assessment of Conformity of Products, Processes, and Services with the Requirements of Technical Regulations” (“Ofitsiyniy Visnyk Ukrayiny”, 2007, No. 6, p. 223), shall be required to contain:

Technical specifications for the nautical equipment, technical documents for the production of the nautical equipment, as well as testing program and methodology;

Service and maintenance documents (technical description, operation manual);

List of standards out of the List of National Standards, officially published by the central executive authority in the field of standardization, the voluntary application of which may be accepted as proof of the nautical equipment’s conformity with the requirements of this Technical Regulation;

Results of performed design calculations, inspections etc.

15. The manufacturer or the authorized representative thereof must keep the declaration of conformity and the technical documents listed in paragraph 16 of this Technical Regulation, during a period of ten years after the entry into circulation of the last technical means, and present it for inspection in the cases established by law.

**Marking**

16. Nautical equipment the conformity of which has been affirmed by the established procedure, must bear the national conformity mark, affixed on it by the manufacturer or the authorized representative thereof.

17. The procedure for the application of the national conformity mark shall be carried out in accordance with the Cabinet of Ministers of Ukraine’s Resolution No. 1599 of November 29, 2001 “On Approving the Description and the Rules for the Application of the National Conformity Mark” (“Ofitsiyniy Visnyk Ukrayiny”, 2001, No. 49, p. 2188).

18. The national conformity mark shall be affixed on nautical equipment or on a data plate in such a manner as to be visible, expressive, and not susceptible to be obliterated during the expected service life of the nautical equipment. Where this is impossible to achieve or guarantee, because of the specific features of a part of the nautical equipment, the mark shall be affixed on the packing of the nautical equipment, on the tag or on the leaflet.

19. The national conformity mark shall be placed after the identification number of the conformity assessment body that carried out the conformity assessment procedure, provided that this body was engaged in products control, with indication of the two last digits of the year when the mark was affixed.

20. It shall be forbidden to affix such marks or inscriptions on nautical equipment as may mislead with regard to the significance or graphic images of the national conformity mark.

21. The national conformity mark shall be affixed at the finishing stage of manufacture.
**PLAN**

**of Measures to Implement the Technical Regulation for Nautical Equipment for the Period Leading up to 2011**

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<th>Description of Measure</th>
<th>Entities Responsible for the Execution</th>
<th>Execution Period, Years</th>
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<td>1. Coordination and publication of the List of National Standards that, in the case of voluntary application, shall be deemed proof of products conformity with the requirements of the Technical Regulation</td>
<td>Mintranszviazku (the Ministry of Transport and Communication), Minprompolityky (the Ministry of Industrial Policy), Derzhspozhyvstandart</td>
<td>annually</td>
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<td>Inclusion in the plan of state standardization, the development of national standards harmonized with the international standards</td>
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<td>2. Bringing the normative-legal acts of the Ministry and of other central executive authorities to the conformity with the provisions of the Technical Regulation</td>
<td>- &quot; -</td>
<td>2007 - 2009</td>
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<td>3. Popularization of the application of the Technical Regulation provisions via mass media, seminars, and conferences</td>
<td>- &quot; -</td>
<td>2007 - 2010</td>
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<td>4. Preparation of the domestic manufacturing enterprises for the production of nautical equipment in compliance with the requirements of the Technical Regulation</td>
<td>Mintranszviazku, Minprompolityky</td>
<td>- &quot; -</td>
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<td>6. Appointment of conformity assessment bodies charged with carrying out the assessment of nautical equipment conformity with the requirements of the Technical Regulation</td>
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